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ATTORNEY DOCKET NO: KCX-839 (18971)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                       |  |   |                 |                  |
|-----------------------|--|---|-----------------|------------------|
| In re Application of: | MacDonald, et al.                        | ) | Group Art Unit: | 1616             |
|                       |  | ) |                 |                  |
| Serial No:            | 10/687,270                               | ) | Examiner:       | Robert L. Nasser |
|                       |  | ) |                 |                  |
| Filed:                | October 16, 2003                         | ) | Our Account No: | 04-1403          |
|                       |  | ) |                 |                  |
| Confirmation No:      | 9987                                     | ) | Customer No:    | 22827            |
|                       |  | ) |                 |                  |
| Title:                | Visual Indicating Device For Bad Breath) |   |                 |                  |

Commissioner for Patents  
U.S. Patent and Trademark Office  
Post Office Box 1450  
Alexandria, VA 22313-1450

Sir:

The following is an Information Disclosure Statement for the captioned patent application, pursuant to 37 CFR Sections 1.56, 1.97, and 1.98.

1.  Attached hereto is:

- a.  A list of materials for consideration per Rule 98(a)(1): 2 page(s) citing 13 item(s)
- b.  A legible copy of each patent, publication, or other item listed per Rule 98(1)(2), unless not required per Rule 98 and/or as indicated on the attached list(s):  
8 item(s) attached
- c.  For each non-English language item listed, pursuant to Rule 98(a)(3), a concise explanation of the relevance thereof as it is presently understood by the individual designated in Rule 56(c) most knowledgeable about the content of such items: \_\_\_\_\_

Such explanation is provided in the Search Report from a corresponding application enclosed herewith along with any enclosed translation into English.

2.  This Information Disclosure Statement is being filed [CHECK ONE]:

- a.  WITHIN THREE MONTHS of the application filing date, national stage date of entry, or along with or after a request for continued examination, OR BEFORE the mailing date of a first Office Action on the merits, which ever event occurs last, WHEREFORE per Rule 97(b) NO filing fee or Rule 97(e) certificate is required.
- b.  AFTER the time periods of section 2.a above, but BEFORE a Final Action, Notice of Allowance OR an action that otherwise closes prosecution, WHEREFORE PER Rule 97(c) submitted herewith is [CHECK ONE]:

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- c.  AFTER a Final Action OR Notice of Allowance, but BEFORE payment of the issue fee, WHEREFORE per Rule 97(d) submitted herewith is:

i.  Certification per Rule 97(e); AND

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3.  Rule 97(e) Certification; per Rule 97(e), the undersigned certifying party make the following certification statement [CHECK ONE]:

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- b.  That no item of information contained in this Information Disclosure Statement was cited in a foreign patent office in a counterpart foreign application and to the knowledge of the undersigned after making a reasonable inquiry, was known to any individual designated in Rule 56(c) more than three months prior to the filing of this statement.

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Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
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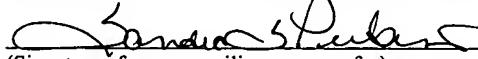
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By: Christina L. Mangelsen, Patent Agent

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Signature: 

Date: May 25, 2005



|  |  |                         |  |                 |
|--|--|-------------------------|--|-----------------|
| (REV. 5/92)<br>Information Disclosure Statement List<br>By Applicant(s)<br>Under 37 CFR Section 1.98(a) (1)<br>(Use several sheets if necessary) |  | Attorney Docket Number: |  | Serial Number:  |
|  |  | KCX-839 (18971)         |  | 10/687,270      |
|  |  | Applicant:              |  |                 |
|  |  | MacDonald, et al.       |  |                 |
|  |  | Filing Date:            |  | Group Art Unit: |
|  |  | October 16, 2003        |  | 1616            |
|  |  | Confirmation No:        |  |                 |
|  |  | 9987                    |  |                 |

NOTE: If no indication is made in the column marked "COPY NOTE," the required legible copy of the corresponding item is submitted herewith; otherwise, a copy is not required and/or not submitted, for the following reason(s) [corresponding reason number is listed in "COPY NOTE" column]

- (1) This item is cumulative, per Rule 98(c)
- (2) A copy of this item was previously cited by or submitted to the U.S. Patent and Trademark Office in:
  - USSN \_\_\_\_\_, filed \_\_\_\_\_, or
  - USSN \_\_\_\_\_, filed \_\_\_\_\_;
- (3) Relied on under 35 U.S.C. Section 120, per Rule 98(d)
- (4) Both reasons (1) and (2) apply
- (4) No legible complete copy is possessed, in custody of controlled, or readily available
- (5) Per the U.S. Patent and Trademark Office's waiver of Rule 98(a)(2)(i), the item is a U.S. patent or patent application publication, and the present application was filed after June 30, 2003.

| EXAMINER INITIALS | PATENTEE NAME     |  | PATENT NUMBER |   |   |   |   |   |   | ISSUE DATE | COPY NOTE |
|-------------------|-------------------|--|---------------|---|---|---|---|---|---|------------|-----------|
|                   | Beschke           |  | 3             | 8 | 3 | 6 | 6 | 3 | 3 | 09/17/1974 | 5         |
|                   | Gualandi          |  | 4             | 2 | 9 | 7 | 2 | 3 | 3 | 10/27/1981 | 5         |
|                   | Rounbehler et al. |  | 6             | 0 | 5 | 7 | 1 | 6 | 2 | 05/02/2000 | 5         |
|                   |                   |  |               |   |   |   |   |   |   |            |           |

| U.S. PATENT APPLICATION PUBLICATIONS |  |                  |      |                    |   |   |   |   |   |                  |           |
|--------------------------------------|--|------------------|------|--------------------|---|---|---|---|---|------------------|-----------|
| EXAMINER INITIALS                    |  | APPLICANT'S NAME |      | PUBLICATION NUMBER |   |   |   |   |   | PUBLICATION DATE | COPY NOTE |
|                                      |  | Long et al.      | 2004 | 0                  | 1 | 2 | 2 | 3 | 8 | 06/24/2004       | 5.        |
|                                      |  | Clark et al.     | 2004 | 0                  | 1 | 7 | 5 | 5 | 5 | 09/09/2004       | 5         |

| FOREIGN PATENT DOCUMENTS |  |         |                 |   |   |   |   |                  |             |    |            |           |
|--------------------------|--|---------|-----------------|---|---|---|---|------------------|-------------|----|------------|-----------|
| EXAMINER INITIALS        |  | COUNTRY | DOCUMENT NUMBER |   |   |   |   | PUBLICATION DATE | TRANSLATION |    |            | COPY NOTE |
|                          |  |         |                 |   |   |   |   |                  | YES         | NO | N/A        |           |
|                          |  | WO      | 9               | 7 | 0 | 5 | 4 | 8                | 2           | A1 | 02/13/1997 |           |
|                          |  |         |                 |   |   |   |   |                  |             |    | X          |           |

\*"NO" means that no copy of an English language translation is within the possession, custody, or control of, or is readily available to any individual designated in Rule 56(c).

| EXAMINER INITIALS | OTHER DOCUMENTS<br>Specify author (if any), Title, Pertinent Pages, Date & Place of Publication |  |            |  |  |  |  | COPY NOTE |
|-------------------|---|--|------------|--|--|--|--|-----------|
|                   | Abstract of Japanese Patent No. JP04255767  |  | 09/10/1992 |  |  |  |  |           |
|                   | Abstract of Japanese Patent No. JP05098185  |  | 04/20/1993 |  |  |  |  |           |
|                   | Abstract of Japanese Patent No. JP57135360  |  | 08/20/1982 |  |  |  |  |           |
|                   | Abstract of Japanese Patent No. JP2001208753  |  | 03/08/2001 |  |  |  |  |           |
|                   | Abstract of Japanese Patent No. JP198610366   |  | 01/11/1986 |  |  |  |  |           |

|  |  |  |                                  |
|--|--|--|----------------------------------|
| (Rev. 5/92)<br><br>Information Disclosure Statement List<br><br>By Applicant(s)<br><br>Under 37 CFR Section 1.98(a) (1)<br><br>(Use several sheets if necessary) |  | Attorney Docket Number:<br><br>KCX-839 (18971)                           | Serial Number:<br><br>10/687,270 |
|  |  | Applicant:<br><br>MacDonald, et al.                                      |                                  |
|  |  | Filing Date:<br><br>October 16, 2003<br><br>Confirmation No:<br><br>9987 | Group Art Unit:<br><br>1616      |

|   |   |                 |  |
|---|---|-----------------|--|
|   | Article – <i>A sorbent tube for oral malodour monitoring</i> , Julia Rodríguez-Fernández, Regina López-Fernández, Rosario Pereiro, Manuel Menéndez, José María Tejerina, Alberto Sicilia, and Alfredo Sanz-Medel, <i>Talanta</i> , Vol. 62, 2004, pp. 421-426 |                 |  |
|   | Article – <i>Optical fibre sensor for hydrogen sulphide monitoring in mouth air</i> , Julio Rodríguez-Fernández, Rosario Pereiro, and Alfredo Sanz-Medel, <i>Analytica Chimica Acta</i> , Vol. 471, 2002, pp. 13-23   |                 |  |
| EXAMINER  |   | DATE CONSIDERED |  |
| Examiner: initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant. |   |                 |  |



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MacDonald et al.

Docket No: KCX-839 (18971)

Serial No: 10/687,270

Group No: 1616

Confirmation No: 9987

Examiner: Robert L. Nasser

Customer No: 22827

Filed: October 16, 2003

Date: May 25, 2005

For: Visual Indicating Device For Bad Breath

**RELATED U.S. PATENT APPLICATIONS**

**ASSISTANT COMMISSIONER FOR PATENTS**

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Alexandria, VA 22313-1450

The following commonly assigned U.S. Patent Applications are being cited to the Examiner for review and consideration. Once the applications have been reviewed, it is requested that the Examiner place his or her initial to the left of the identified patents on the list document to indicate that the specific patent applications have been considered.

**RELATED U.S. APPLICATIONS**

| <u>Examiner's Initial</u> | <u>Inventor</u>        | <u>Serial Number</u>    | <u>Filing Date</u> | <u>Title of Application</u>            |
|---------------------------|------------------------|-------------------------|--------------------|--|
| _____                     | Quincy, III,<br>et al. | 10/723,761              | 11/26/2004         | Odor Control In Personal Care Products |
| _____                     | MacDonald,<br>et al.   | 10/955,316<br>(KCX-866) | 09/30/2004         | Odor-Reducing Quinone Compounds        |